

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
<b>Caption in Compliance with D.N.J. LBR 9004-2(c)</b>	
Stern, Lavinthal & Frankenberg, LLC 105 Eisenhower Parkway - Suite 302 Roseland, NJ 07068 Telephone Number (973) 797-1100 Telecopier Number (973) 228-2679 Attorneys for Secured Creditor, Seterus, Inc., as authorized sub-servicer for Federal National Mortgage Association ('Fannie Mae'), a corporation organized and existing under the laws of the United States of America By: Jeanette F. Frankenberg, Esq.	
In Re:	Case No.: 17-31797-CMG
Thomas Hugh Rondello, Jr	Chapter: 13
Josephine Rondello	Hearing Date: July 18, 2018
Debtor(s)	Judge: Christine M. Gravelle

### **NOTICE OF OBJECTION TO DEBTOR'S MOTION TO REINSTATE STAY**

PLEASE TAKE NOTICE that Seterus, Inc., as authorized sub-servicer for Federal National Mortgage Association ('Fannie Mae'), a corporation organized and existing under the laws of the United States of America ("Secured Creditor"), the holder of a note on real property of the debtor commonly known as 167 Bay Harbor Blvd., Brick, NJ 08723 (the "Property"), by and through its undersigned attorneys, hereby objects to the Motion to Reinstate Stay on grounds including:

1. Thomas Hugh Rondello, Jr., and Josephine Rondello ("Debtors") filed the instant Chapter 13 Bankruptcy Petition on or about October 27, 2017.
2. The debtors Chapter 13 plan proposed Loss Mitigation to cure all delinquency.
3. The debtors were reviewed and approved for a Trial Modification beginning with the March 1, 2018 through and including the May 1, 2018.

4. Debtors failed to successfully complete the Trial Modification.
5. Debtor failed to remit the monthly post-petition mortgage payment to Secured Creditor. As a result, Secured Creditor filed a Motion for Relief from the Automatic Stay (hereinafter "Motion") on May 29, 2018.
6. On June 21, 2018 an Order Granting Relief from the Stay was entered (Docket No. 51).
7. At the time the Motion was filed, Debtor was in post-petition arrears for four (7) months (November, 2017 through and including May, 2018) for a total of approximately \$10,146.57 through May, 2018.
8. Debtor now comes before the Court seeking to reinstate the automatic stay as to Secured Creditor, on the basis that they intend to seek another Loan Modification.
9. Secured Creditor objects on the grounds that the debtor intends on applying for Loss Mitigation in good faith as the debtors failed to make adequate protection payments in good faith and failed to successfully complete a Trial Modification.
10. Debtors' account would be post-petition due for approximately \$9,143.19 through and including the July, 2018 post-petition payment.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Jeanette F. Frankenberg  
Jeanette F. Frankenberg, Esq.  
Stern, Lavinthal & Frankenberg, LLC  
Attorneys for Secured Creditor

Dated: July 9, 2018

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### CERTIFICATION OF SERVICE

1. I, Alicia Moore:

- ☐ represent the \_\_\_\_\_ in the above-captioned matter.
- ☒ am the secretary/paralegal for Stern, Lavinthal & Frankenberg, LLC, who represents the Creditor in the above captioned matter.
- ☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On July 9, 2018, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: ***Objection to Motion to Reinstate Stay***

I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: July 9, 2018

/s/ Alicia Moore  
Alicia Moore

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<p>Thomas Hugh Rondello, Jr. 167 Bay Harbor Blvd Brick, NJ 08723</p> <p>Josephine Rondello 167 Bay Harbor Blvd Brick, NJ 08723</p>	Debtor	<p><input type="checkbox"/> Hand-delivered  <input checked="" type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input type="checkbox"/> E-mail  <input type="checkbox"/> Notice of Electronic Filing (NEF)  <input type="checkbox"/> Other _____  (as authorized by the court *)</p>
<p>William H. Oliver, Jr. 2240 State Highway 33 Suite 112 Neptune, NJ 07753</p>	Debtor's Counsel	<p><input type="checkbox"/> Hand-delivered  <input checked="" type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input type="checkbox"/> E-mail  <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)  <input type="checkbox"/> Other _____  (as authorized by the court *)</p>
<p>Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853</p>	Trustee	<p><input type="checkbox"/> Hand-delivered  <input checked="" type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input type="checkbox"/> E-mail  <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)  <input type="checkbox"/> Other _____  (as authorized by the court *)</p>
		<p><input type="checkbox"/> Hand-delivered  <input type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input type="checkbox"/> E-mail  <input type="checkbox"/> Notice of Electronic Filing (NEF)  <input type="checkbox"/> Other _____  (as authorized by the court *)</p>

\*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.